IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 424 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SURESHBHAI MORARBHAI JADAV

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 424 of 2003

MS SMITA R PATEL for Petitioner No. 1

MR RM PARMAR APP for Respondents.

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 05/05/2003

ORAL JUDGEMENT

1. Rule. Mr. R.M. Parmar appears and waives

service of notice of Rule on behalf of the respondents. Heard learned A.P.P. for the respondents. Heard the learned counsel for the parties.

2. This application is preferred by the petitioner for grant of parole leave for a period of 30 days for the purpose of repairing the house. It is stated by the learned A.P.P. that before three years occasion the petitioner was released on parole for a period of 12 days and he had surrendered in time before the jail authority and he has not misused the parole leave granted to him.

3. In the facts and circumstances of the case and the submissions made by the learned A.P.P. as well as the material on record, this petition requires to be allowed. Accordingly, this petition is allowed and the petitioner is ordered to be released on parole leave for a period of 30 days from the date of actual release, on usual terms and conditions. Rule is made absolute.

(Kundan Singh, J.)

/JVSatwara/